

JPW



Attorney Docket No.: 60188-581
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	
Michio MORITA	:	Customer No.20277
Serial No.: 10/628,451	:	Confirmation No.: 4849
Filed: July 29, 2003	:	Group Art Unit: 2813
	:	Examiner: LAURA M. SCHILLINGER
For: METHOD FOR FABRICATING MULTILAYER INTERCONNECT AND METHOD FOR CHECKING THE SAME	:	

ELECTION UNDER 35 U.S.C. § 121

Mail Stop Amendment
Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the restriction requirement set forth in the Office Action mailed November 23, 2004, having a shortened statutory period for response set to expire December 23, 2004, wherein the Examiner required restriction between the following distinct Species:

- | | | |
|-----------|---|--|
| Species 1 | - | Claims 1-8, pertaining to a method of forming an interconnect; and |
| Species 2 | - | Claims 9-10, pertaining to a method of checking an interconnect. |

Applicant elects without traverse, Species 1 – with claims 1-8 readable thereon, for initial prosecution on the merits.


Applicant also reserves the right to file a Divisional Application for the non-elected claims, which the Examiner has indicated is patentably distinct.

Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition for extension of time. The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-0417. A duplicate copy of this Response is enclosed for accounting purposes.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

Date: 12/22/04

By:  #46,692
for Michael E. Fogarty
Registration No.: 36,139

600 13th Street, N.W., Suite 1200
Washington, DC20005-3096
Telephone: 202 756 8000
Facsimile: 202 756 8087

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